

ITEM NO: _____

PREPARED BY: Commissioner Steve Mulroy

APPROVED BY: Christy Kinard

RESOLUTION ESTABLISHING PROCEDURE FOR THE SHELBY COUNTY BOARD OF COMMISSIONERS TO APPOINT INTERIM UNIFIED SCHOOL BOARD MEMBERS TO FILL VACANCIES FOR THE SHELBY COUNTY BOARD OF EDUCATION PURSUANT TO THE PROVISIONS OF TENNESSEE CODE ANNOTATED SECTION 49-2-201 UPON THE REDISTRICTING OF THE SHELBY COUNTY SCHOOL DISTRICT PURSUANT TO TENNESSEE CODE ANNOTATED 5-1-111 AFTER THE SURRENDER OF THE CHARTER OF THE MEMPHIS CITY SCHOOL DISTRICT AS PROVIDED BY TENNESSEE CODE ANNOTATED 49-2-502 SPONSORED BY COMMISSIONER STEVE MULROY.

WHEREAS, Tennessee Code requires that county boards of education be elected by the people; and be residents of and elected from districts of substantially equal populations established by resolution of the local legislative body; and

WHEREAS, The Shelby County Board of Commissioners have the obligation and authority to change and redistrict, if necessary, the boundaries of the Shelby County School District and to apportion the county legislative body so that the members represent substantially equal populations; and

WHEREAS, Shelby County Board of Commissioners have the obligation and authorization to fill vacancies in all county offices by appointment, and that any person so appointed shall serve until a successor is elected at the next general election occurring after the vacancy; and

WHEREAS, the Memphis City School District Board of Commissioners has voted to surrender its Charter, and directed the Shelby County Election Commission to hold a public election to affirm this action, and that such election is now scheduled for March 8, 2011.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, that this plan for the application, review, interview and appointment of twenty (20) members of the Interim Unified School Board of Shelby County is hereby adopted.

BE IT FURTHER RESOLVED, that each district shall be composed of the areas encompassed by the wards and precincts of the County of Shelby as designated and approved by the Shelby County Board of Commissioners.

BE IT FURTHER RESOLVED, that the Shelby County Board of Commissioners is hereby directed to fill by appointment the positions of members of the Shelby County Board of Education in districts where there is a vacancy; and these appointees shall serve until a successor can be elected at the next general election.

BE IT FURTHER RESOLVED, that the Shelby County Board of Commissioners shall immediately announce that applications are being accepted for Interim Unified School Board members (a copy of which is attached hereto at Exhibit A), and schedule interviews for those making application at the regular Committee Meeting of the Shelby County Board of Commissioners to be held on April 13, 2011.

BE IT FURTHER RESOLVED, that this Resolution shall take effect in accordance with the Shelby County Charter, Article II, Section 2.06(B).

Mark H. Luttrell, Jr., County Mayor

DATE: _____

ATTEST:

Clerk of County Commission

ADOPTED: _____